

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed

Pursuant to the authority of Iowa Code section 144.3, the Department of Public Health hereby amends Chapter 97, "Death Registration and Disposition Of Dead Human Bodies," Iowa Administrative Code.

The amendments reflect changes that have been made to Iowa Code chapter 144 that require the use of the electronic statewide vital records system for the registration of death records. The amendments give medical certifiers access for up to one year from the date of death to view a death record using the electronic statewide vital records system. The amendments also incorporate fetal death certificates into the electronic statewide vital records system.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 2156C** on September 30, 2015. No public comments were received. These amendments are identical to those published under Notice.

The Iowa Department of Public Health adopted these amendments on November 12, 2015.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 135.11(7), 144.12, 144.16 to 144.18, 144.26 to 144.29, 144.30 to 144.35, 144.47, 144.49 to 144.51, 144C.5, 331.802(3) and 633.517 to 633.520.

These amendments will become effective January 13, 2016.

The following amendments are adopted.

ITEM 1. Amend paragraph **97.5(1)"c"** as follows:

c. Within three days after the death and prior to final disposition of the dead human body, file the completed certificate of death ~~in the county where the death occurred~~ using the electronic statewide vital records system or, within three days after delivery and prior to disposition of the fetus, file the completed certificate of fetal death with the state registrar.

ITEM 2. Amend subrule 97.5(2) as follows:

97.5(2) The funeral director or person other than the funeral director who first assumes custody of the dead human body ~~or fetus~~ for the purposes of disposition shall prepare the certificate of death ~~or fetal death on the official paper issued by the state registrar by one of the following means:~~ using the electronic statewide vital records system.

- ~~a. Use of a typewriter with dark blue or black ribbon to complete the standard certificate form;~~
- ~~b. Use of a funeral director's computer program to complete the form that has been preapproved by the state registrar pursuant to subrules 97.3(4) and 97.4(6);~~
- ~~c. Use of an electronic form prescribed by the state registrar; or~~
- ~~d. As directed by the state registrar.~~

ITEM 3. Renumber subrule **97.5(3)** as **97.5(4)**.

ITEM 4. Adopt the following new subrule 97.5(3):

97.5(3) The funeral director or person other than the funeral director who first assumes custody of the dead fetus for the purposes of disposition shall prepare the certificate of fetal death on the official paper issued by the state registrar by one of the following means:

- a. Use of a typewriter with dark blue or black ribbon to complete the standard certificate form;
- b. Use of a funeral director's computer program to complete the form that has been preapproved by the state registrar pursuant to subrules 97.3(4) and 97.4(6);
- c. Use of an electronic form prescribed by the state registrar; or
- d. As directed by the state registrar.

ITEM 5. Amend renumbered subrule 97.5(4) as follows:

97.5(4) Unless otherwise directed by the state registrar, a certificate of ~~death or~~ fetal death shall be accepted for filing and registration only when:

a. to *g.* No change.

ITEM 6. Adopt the following new subrule 97.8(4):

97.8(4) The medical certifier who signs the medical certification on a certificate of death shall be entitled to view the death record through the electronic statewide vital records system for up to one year from the date of death.

[Filed 11/16/15, effective 1/13/16]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 12/9/15.